

REMARKS

Claims 1-21 were previously pending in the subject application. The Examiner has rejected claims 1-21. Applicant has amended claims 1-5, 7-11, 14-17, and 20 and has added new claims 22-26. Accordingly, Claims 1-26 are now pending in the subject application. No new matter has been added.

Rejections under 35 U.S.C. §102(b) and §103(a)

Claims 1-21 stand rejected under 35 U.S.C. §102(b) and/or §103(a) in view of SNYDER (Gradient Elution, High-Performance Liquid Chromatography, 1980, Vol. 1, Academic Press, Inc., New York). Applicant respectfully traverses the rejections with respect to claims 1-21. Nonetheless, in an effort to expedite the prosecution of the subject application, Applicant has amended independent claims 1, 11, and 17 to more fully distinguish over the prior art of record. In addition, various amendments to their associated dependent claims have been entered for clarification and/or consistency.

Independent claim 1 includes a number of limitations that are not shown or suggested by the prior art of record. For instance, independent claim 1 recites “identifying an analytical retention time and corresponding analytical chromatographic parameters for eluting the component through an analytical column” and, “based on the analytical retention time and the corresponding analytical chromatographic parameters, determining preparative chromatographic parameters to isolate the component at an accelerated retention time using a preparative column that is different from the analytical column.” Applicant’s review of SNYDER did not identify any teaching directed to the claimed method of “determining preparative chromatographic parameters to isolate the component at an accelerated retention time using a preparative column,” where this determining is based on “an analytical retention time and corresponding analytical chromatographic parameters for eluting the component through an analytical column,” and the “preparative column ... is different from the analytical column.” While SNYDER makes reference to varying flowrate and/or column length for improvement in resolution, SNYDER does not show or suggest the claimed method of, “based on the analytical retention time and the corresponding analytical chromatographic parameters, determining preparative chromatographic

parameters to isolate the component at an accelerated retention time using a preparative column that is different from the analytical column.”

In view of the foregoing, it is respectfully submitted that independent claim 1 defines subject matter that is not shown or suggested by the prior art of record. Therefore, independent claim 1 and its dependent claims 2-10 and 22 should be in a condition for allowance.

Independent claim 11 also includes a number of limitations that are not shown or suggested by the prior art of record. For instance, independent claim 11 recites “identifying a first set of gradient elution parameters to elute the component through a first column at a first elution time” and, “using the first set of gradient elution parameters, determining a second set of gradient elution parameters to elute the component through a second column at a second elution time, wherein the first column and the second column have different sizes.” Applicant’s review of SNYDER did not identify any teaching directed to the claimed method of “determining a second set of gradient elution parameters to elute the component through a second column at a second elution time,” where this determining uses “a first set of gradient elution parameters to elute the component through a first column at a first elution time,” and “the first column and the second column have different sizes.” While SNYDER makes reference to varying flowrate and/or column length for improvement in resolution, SNYDER does not show or suggest the claimed method of, “using the first set of gradient elution parameters, determining a second set of gradient elution parameters to elute the component through a second column at a second elution time, wherein the first column and the second column have different sizes.”

In view of the foregoing, it is respectfully submitted that independent claim 11 defines subject matter that is not shown or suggested by the prior art of record. Therefore, independent claim 11 and its dependent claims 12-16 and 23-24 should be in a condition for allowance.

With respect to dependent claim 23, the prior art of record does not show or suggest that “the first column and the second column have different diameters.”

Independent claim 17 also includes a number of limitations that are not shown or suggested by the prior art of record. For instance, independent claim 17 recites “identifying the component by eluting a first portion of the chemical mixture through a first column using a first set of gradient elution parameters,” “identifying a first retention time for the component associated with the first column and the first set of gradient elution parameters,” and, “using the first retention time and the first set of gradient elution parameters, determining a second set of

gradient elution parameters to elute the component through a second column at a second retention time, wherein the first column and the second column have different sizes.”

Applicant’s review of SNYDER did not identify any teaching directed to the claimed method of “determining a second set of gradient elution parameters to elute the component through a second column at a second retention time,” where this determining uses a first retention time and a first set of gradient elution parameters for “eluting a first portion of the chemical mixture through a first column,” and “the first column and the second column have different sizes.”

Again, while SNYDER makes reference to varying flowrate and/or column length for improvement in resolution, SNYDER does not show or suggest the claimed method of, “using the first retention time and the first set of gradient elution parameters, determining a second set of gradient elution parameters to elute the component through a second column at a second retention time, wherein the first column and the second column have different sizes.”

In view of the foregoing, it is respectfully submitted that independent claim 17 defines subject matter that is not shown or suggested by the prior art of record. Therefore, independent claim 17 and its dependent claims 18-21 and 25-26 should be in a condition for allowance.

With respect to dependent claim 25, the prior art of record does not show or suggest that “a diameter of the second column is greater than a diameter of the first column.”

In sum, Applicant respectfully submits that SNYDER fails to show or suggest the structure or implementation of the invention as recited in Claims 1-26 and, thus, that the reference cannot, as a matter of law, anticipate the invention under 35 U.S.C. §102(b) or render the invention obvious under 35 USC §103(a). Applicant, therefore, respectfully requests withdrawal of the rejections under 35 U.S.C. §102(b) and §103(a). Applicant submits that all of the independent claims and their associated dependent claims should now be in a condition for allowance, which is respectfully solicited. If the Examiner believes that any of the claims are not in a condition for allowance, the Examiner is encouraged to contact the undersigned to resolve any outstanding issues.

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